

JC06 Rec'd PCT/PTO 18 AUG 2005 PCT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: EIS-SCHWARTZ =37

In re Application of:) Conf. No.: 7353
)
Michal EISENBACK-SCHWARTZ et al)) Art Unit:
)
Appln. No.: 10/517,666)) Examiner:
)
Filing Date: June 12, 2003))
371(c) Date: December 13, 2004) Washington, D.C.
)
For: ANTIGEN-PRESENTING CELLS))
FOR NEUROPROTECTION...) August 18, 2005

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

[X] C. after (A) and (B) above, but before final rejection or allowance, and Applicant has made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below):

[X] i. Counsel certifies that, upon information and belief, each item of information listed herein either was

[X] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this IDS.

[] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached.

[X] 3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[X] 4. Other information being provided for the examiner's consideration follows:

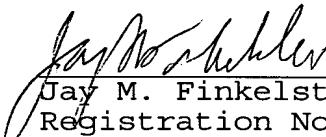
International Search Report

5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK
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By:



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

AUG 18 2005

Sheet 1

of 1

Complete if Known

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|----------------------|-------------------------|
| Application Number | 10/517,666 |
| Filing Date | June 12, 2003 |
| First Named Inventor | EISENACH-SCHWARTZ et al |
| Group Art Unit | |
| Examiner Name | |

Attorney Docket Number EIS-SCHWARTZ =37

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | AA | US-5,800,812 A | 09-01-1998 | EISENACH-SCHWARTZ et al | |
| | AB | US-6,117,424 A | 09-12-2000 | EISENACH-SCHWARTZ et al | |
| | AC | US-6,267,955 B1 | 07-31-2001 | EISENACH-SCHWARTZ et al | |
| | | US- | | | |

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
|--------------------|-----------------------|---|----------------|
| | AD | CONSTANTINESCU, Cris, "Murine macrophages stimulated with central and peripheral nervous system myelin or purified myelin proteins release inflammatory products", Neuroscience Letters. (2000). 287:171-174. | |
| | AE | HUANG, Y.M., et al, "Autoantigen-pulsed dendritic cells induce tolerance to experimental allergic encephalomyelitis (EAE) in Lewis rats", Clin Exp Immunol. (2000). 122:437-444. | |
| | AF | KERSCHENSTEINER, Martin, et al, "Activated Human T cells, B cells, and monocytes produce brain-derived neurotrophic factor in vitro and in inflammatory brain lesions: a neuroprotective role of inflammation?", J. Exp. Med. (March 1, 1999). 189(5):865-870. | |
| | AG | KHOURY, Samia, et al, "Ex vivo treatment of antigen-presenting cells with CTLA41g and encephalitogenic peptide prevents experimental autoimmune encephalomyelitis in the Lewis rat", The Journal of Immunology. (1996). 157:3700-3705. | |
| | AH | MACCIONI, M., et al, "Peritoneal antigen-presenting cells pulsed in vivo with myelin basic protein induce the suppression of experimental autoimmune encephalomyelitis (EAE) in Wistar rats", Journal of Neuroimmunology. (1999). 96:46-56. | |
| | AI | XIAO, Bao-Guo, et al, "Mechanisms of recovery from experimental allergic encephalomyelitis induced with myelin basic protein peptide 68-86 in Lewis rats: a role for dendritic cells in inducing apoptosis of CD4 + T cells", Journal of Neuroimmunology. (1999). 97:25-36. | |

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|--------------------|--|-----------------|
| Examiner Signature | | Date Considered |
|--------------------|--|-----------------|

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.